



DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

14239

[49 CFR Parts 172, 173]

[Docket No. HM-80; Notice No. 72-8]

PHOSPHORUS PENTASULFIDE

Proposed Packaging Specifications

On March 10, 1971, the Hazardous Materials Regulations Board of the Department of Transportation published Notice No. 71-7 Phosphorus Pentasulfide in Docket No. HM-80 (36 F.R. 4626). Several comments were received.

Some commenters objected to the classification of the material but in view of accidents with the product that have continued to occur during the rule making proceeding, and the basic properties of the material necessitating certain responses to an incident, the Board continues to believe that the material should be classed as a flammable solid. In addition, on the basis of its properties and the experience developed from these incidents, it further believes that specification packaging should be specified. In the notice of March 10, 1971, DOT specification packaging was not a subject of the rule making action. Therefore, the Board is republishing the notice to propose that specification packaging be required except when the material will be fused into one solid mass for transportation.

Some commenters stated that the same requirements applicable to phosphorus sesquisulfide should be applicable to phosphorus pentasulfide. Upon examination of the literature describing the physical and chemical properties of the two compounds, the Board considers phosphorus sesquisulfide to be of a higher level of hazard, and believes that less stringent packaging limitations for phosphorus pentasulfide are warranted.

This notice supersedes Notice No. 71-7 in Docket HM-80.

In consideration of the foregoing, it is proposed to amend 49 CFR Parts 172 and 173 as follows:

PART 172—COMMODITY LIST OF
HAZARDOUS MATERIALS CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 170-189 OF THIS CHAPTER

I. In § 172.5 paragraph (a), the List of Hazardous Materials would be amended as follows:

§ 172.5 List of hazardous materials.

(a) * * *

Article	Classed as—	Exemption and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
Phosphorus pentasulfide.....	F.S.....	No exemption, 173.225.....	Yellow.....	11 pounds.

PART 173—SHIPPERS

II. (A) In Part 173 Table of Contents, § 173.225 would be amended to read as follows:

173.225 Phosphorus sesquisulfide and phosphorus pentasulfide

(B) In § 173.225, the heading would be amended; paragraph (b) would be added to read as follows:

§ 173.225 Phosphorus sesquisulfide and phosphorus pentasulfide.

(b) Phosphorus pentasulfide must be packed as follows:

(1) In any packaging prescribed in § 173.154;

(2) Specification 53¹ or 56 (§§ 178.251, 178.252 of this subchapter). Metal portable tank; or

(3) Metal drum not over 15 gallons capacity. Authorized only for phosphorus pentasulfide fused into a solid mass before transportation.

¹ Use of existing tanks authorized, but new construction not authorized.

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, DC 20590. Communications received on or before August 22, 1972, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

This proposal is made under the authority of sections 831-835 of title 18, United States Code, section 9 of the Department of Transportation Act (49 U.S.C. 1657), and title VI and section 902(h) of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h)).

Issued in Washington, D.C., on July 13, 1972.

W. J. BURNS,

Director,

Office of Hazardous Materials.

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